

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

UNITED STATES OF AMERICA,

Plaintiff,

v.

GREGORY MALCOLM GOOD,  
WILLIAM MICHAEL SPEARMAN,  
MATTHEW BRANDEN GARRELL, and  
ROBERT PRESTON BOYLES,

Defendants.

Case No.: 22-CR-80173-AMC

**AGREED REQUEST FOR SPECIALLY  
SET TRIAL DURING THE SECOND WEEK  
OF THE TWO-WEEK CALENDAR<sup>1</sup>**

The United States hereby files this joint request for a specially set trial date within the two-week period for which this matter is currently set for trial, and states as follows:

1. This case is currently set for trial during the two-week docket, beginning on May 22, 2023.
2. The parties request that the trial begin in the second week of calendar, specifically on ***Tuesday, May 30, 2023.***
3. The parties expect the trial, which is likely include the prosecution against only one or two of the listed co-defendants<sup>2</sup>, to take four (4) to five (5) days.
4. AUSA Gregory Schiller will be unavailable for trial on Friday, May 26<sup>th</sup> due to the observance of the Jewish Holiday of Shavuot, during which he is unable to work. He is unavailable for the second half of the day on Thursday, May 25<sup>th</sup> during which he needs to prepare for this holiday that extends through sundown on May 27<sup>th</sup>.<sup>3</sup> As noted above, the trial is unlikely to

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<sup>1</sup> Monday, May 29, 2023, is the Federal holiday of Memorial Day. Given the issues within this motion, *infra*, the government would not oppose a hearing to specially set the trial on a date convenient to the Court in the future beyond the May 22 two-week calendar.

<sup>2</sup> Mr. Good and Mr. Garrell have advised the government through counsel their intent to plea guilty. Mr. Boyles has only arrived in the district on April 5, 2023 and is set to be arraigned until April 18, 2023. It is unknown if he will be ready for trial, seek a continuance, or plead guilty.

<sup>3</sup> During this and all Jewish “festivals”, which last for 49 hours, those observant Jews, such as the undersigned, are

conclude before Mr. Schiller's leave begins. If the trial began on May 22, therefore, it is likely that there would be a break in the trial of approximately four and a half to five days, including the Memorial Day holiday. This lengthy gap would be burdensome for the jurors and would interfere with the parties' ability to present their cases in an effective and orderly way.

5. DOJ Trial Attorney Kyle Reynolds is currently set for trial on May 8 before Judge Stephen R. Bough of the Western District of Missouri in the case of *United States v. Clint Robert Schram*, No. 5:20-cr-6002 (W.D. Mo.). The defendant in that case was charged in a nine-count indictment with engaging in a child exploitation enterprise and multiple counts of conspiracy to advertise child pornography and advertisement of child pornography arising out of his alleged involvement with four different child pornography websites. Trial could last up to May 16, 2023. If the case before this Court were to begin on May 22, then Mr. Reynolds could have less than a week between the conclusion of the *Schram* trial and the commencement of this trial, which would lessen his ability to adequately prepare for this trial.

6. Nearly all the government's witnesses are all out of the district and will be flying into the Southern District of Florida for trial. They will need to make flight and hotel arrangements which is limited at the end of May due to high school graduations and the Memorial Day holiday, if not booked in advance.

7. Mr. Boyles' counsel, Val Rodriguez, was recently appointed to this case on April 7, 2023. Mr. Boyles is set to be arraigned on April 18, 2023 (5 weeks before the May 22, 2023, trial date). Mr. Rodriguez will then need time to review discovery and preview the contraband child pornography within the government's control, in this very complex child pornography exploitation case. He has advised he will be filing a motion to continue the trial.

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prohibited from any type of work.

8. The undersigned has learned that this Court has at least two (2) other trials set on May 22, 2023 (US v. Shaw, et al, 22-CR-14048; and US v. Singleton, 22-CR-14054), both of which were Indicted prior to the captioned case.

9. Setting trial in this case for May 30 would avoid these conflicts, provide Mr. Reynolds needed additional time to complete the *Schram* trial and more fully prepare for the trial before this Court, provide Mr. Rodriguez an additional week to prepare for trial, and not cause an interruption in this trial due to the Jewish holidays observed by Mr. Schiller.

10. The government conferred with Mr. Goodman for defendant Good, Mr. Berry for defendant Spearman, Ms. Hubbard for defendant Garrell, and Mr. Rodriguez for defendant Boyles, each of whom agree to and endorse this request.

11. This request is not made for delay, but to accommodate the party's conflicts, schedules, ability to prepare, and the Court's calendar.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

**I hereby certify** that on April 18, 2023, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF.

s/ Gregory Schiller

Gregory Schiller

Assistant United States Attorney